

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**CASE NO.: 2:12-CR-162
JUDGE SMITH
MAGISTRATE JUDGE KING**

TONY R. FISHER,

Defendant.

ORDER

On September 7, 2012, the Magistrate Judge issued a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), recommending that the Court accept Defendant's guilty plea to Count One of the Indictment returned in the Southern District of Indiana charging him with production of child pornography in violation of 18 U.S.C. § 2251(a) and a plea of guilty to an Information filed in the Southern District of Ohio charging him with coercion and enticement of a minor to engage in unlawful sexual activity in violation of 18 U.S.C. § 2422(b). (Doc. 26). Defendant, represented by counsel, waived his right to appear on the matter before a District Judge. The Magistrate Judge conducted the colloquy required by Rule 11 of the Federal Rules of Criminal Procedure. Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact. Further, the Magistrate Judge observed that at the time Defendant entered his guilty plea, he was in full possession of his faculties, was not suffering from any apparent physical or mental illness, and was not under the influence of narcotics or alcohol.

Defendant was specifically informed of his right to contest the Report and Recommendation by filing any objections within 14 days of the issuance of the Report and Recommendation pursuant to 28 U.S.C. §636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure. Defendant did not file any objections.

Accordingly, the Court **ADOPTS** the Report and Recommendation and **ACCEPTS** Defendant's plea of guilty to Count One of the Information and Count One of the Indictment. Defendant is hereby adjudged guilty of these charges.

IT IS SO ORDERED.

/s/ George C. Smith

GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT